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PATENT Attorney Docket No. 82031-0006

PHE UNITED STATES PATENT AND TRADEMARK OFFICE National Stage Designated/Elected Office Under 37 U.S.C. 371

In re Application of: Hillel WEINSTEIN et al.

Application No.: 09/830,015

PCT/IL01/00181

Filed: April 20, 2001

For: SYSTEM, APPARATUS AND METHOD FOR EXPANDING THE OPERATIONAL BANDWIDTH OF A COMMUNICATION

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Description of: Hillel WEINSTEIN et al.

International Application No.

27 February 2001

Art Unit: 2611

Examiner: Not Yet Assigned

Commissioner for Patents Washington, D.C. 20231

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Technology Center 2600

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT , <u>UNDER 37 C.F.R. § 1.97(b)</u>

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached Form PTO-1449, which the Examiner may deem relevant to the patentability of the above-identified application. One copy of the listed document is submitted herewith.

This information disclosure statement is being filed before the mailing date of a first Office Action on the merits. Therefore, no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Applicants respectfully request that the Examiner considers the listed document and evidence that consideration by making appropriate notation on the attached Form-1449. The information contained in this information disclosure statement was first cited in the attached International Search Report (EPO Search Authority) dated October 11, 2001 in Applicants' corresponding PCT Application PCT/IL01/00181.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission the listed document is material or constitutes "prior art." If

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Attorney Docket No. 82031-0006

Application No. 09/830,015

Page 2

the Examiner applies the document as "prior art" against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

HOGAN & HARTSON LLP

Dated: July 9, 2002

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James J. Namiki

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FORM PTO-1449

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APPLICANT:

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EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

Information Disclosure Statement - Section 9 PTO-1449

Page 1 of 1